

City of Sunnyvale
SUMMARY WORKSHEET
2005 Proposed Study Issues

DEPARTMENT OF PUBLIC SAFETY

| Item # | Study Issue Title | Hours (Includes hours from departments and consultants) | OCA Hours | Staff Recommendation | | | | B/C Rankings (Identify name of B/C below) | | | | | |
|---------------------------------|----------------------------------------------------------------------------|------------------------------------------------------------|-----------|----------------------|---------|-------|---------|----------------------------------------------|--|--|--|--|--|
| | | | | For Study | No Rec. | Defer | Against | | | | | | |
| | | | | | | | | | | | | | |
| NEW ITEMS | | | | | | | | | | | | | |
| DPS-07 | Patriot Act | 65 | | X | | | | | | | | | |
| | | | | | | | | | | | | | |
| DEFERRED/BELOW THE LINE IN 2004 | | | | | | | | | | | | | |
| DPS-01 | Proactive Neighborhood Watch Program (BTL) | 90 | | | | X | | | | | | | |
| DPS-02 | Gun Amnesty Program (BTL) | 80 | 5 | | | | X | | | | | | |
| DPS-03 | Review Public Safety Support Services Sub-Element (Def.) | 350 | 5 | | | X | | | | | | | |
| DPS-04 | Review Seismic Safety and Safety Sub-Element (Def) | 350 | 5 | | | X | | | | | | | |
| DPS-05 | Fire Station Location & Resource Allocation Study (Def) | 340 | 5 | | | X | | | | | | | |
| DPS-06 | Bicycle Safety Skills Awareness Education for Public Safety Officers (Def) | 840 | | | | | X | BPAC REC. DROP ISSUE | | | | | |

PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2005

New _____

Previous Year (below line/defer) X

Issue: Proactive Neighborhood Watch Program

Lead Department: Public Safety (DPS)

General Plan Element or Sub-Element: Police Services Sub-Element

1. What are the key elements of the issue? What precipitated it?

Former Councilmember Jack Walker (Feb. 02) asked DPS staff to study feasibility of a proactive Neighborhood Watch Program to be managed by the Crime Prevention Unit. Item was presented to Council at the 12/02 Council Study Issues Workshop and approved. At that time, DPS staff placed this issue "below the line" since the department did not have the staff capacity to complete the study issue. The issue was carried over to the 2003 Council Study Issues Workshop, approved and DPS staff again placed the issue "below the line" due to reduced staff in the Crime Prevention Unit.

2. How does this relate to the General Plan or existing City Policy?

Police Services Sub-Element Goals:

4.1A.4 – Reduce crime by strengthening the Police/Community partnership.

4.1A.4a – Continue and enhance neighborhood based crime prevention programs.

3. Origin of issue:

Council Member(s): Walker (2002)

General Plan: _____

City Staff: _____

Board or Commission (identify name of the advisory body from the list below): _____

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue _____ **of** _____

Board or Commission ranking comments:

4. Multiple Year Project? Yes ___ No X Expected Year Completed 2005

5. Estimated work hours for completion of the study issue (use 5 or 8-hour increments):

(a) Estimated work hours from the lead department 80

(b) Estimated work hours from consultant(s) if applicable: _____

(c) Estimated work hours from the City Attorney's Office: _____

(d) Estimated work hours from Finance: _____

(e) Estimated work hours from other department(s):

Department: Community Development – 10
Neighborhood Preservation

Department: _____

Department: _____

Total Estimated Hours: 90

6. Expected participation involved in the study issue process?

(a) Does Council need to approve a work plan? Yes ___ No X

(b) Does this issue require review by a Board/Commission? If so, please list below: Yes ___ No X

(c) Is a Council Study Session anticipated? Yes ___ No X

(d) What is the public participation process?

Input would be gathered by the DPS Neighborhood Resource Officers.

7. Cost of Study: Please mark appropriate item below.

___ Costs covered in operating budget - <program name>

___ Costs covered by project - <project name>

X Budget modification needed for study – \$5,000- 7,000

Explain below what the additional funding will be used for:

Overtime costs of Community Services Officer and/or Public Safety Officer to complete study.

8. Potential fiscal impact to implement recommendations in the Study approved by Council, if any:

| Mark a range for the items below: | \$500 or none | \$50K or less | \$51K - \$100K | \$101K - \$500K | \$501K or more |
|-----------------------------------|---------------|---------------|----------------|-----------------|----------------|
| Capital expenditure range | | X | | | |
| Operating expenditure range | | | X | | |
| New revenues/savings range | | | | | |

Explain impact briefly:

Capital impact would include purchase of signs, printed materials and marketing efforts. Operating impact would involve staff time to coordinate program with neighborhood groups. Expected outcome would be enhanced community participation in crime prevention.

9. Staff Recommendation for this calendar year:

"For" Study ___ Explain:

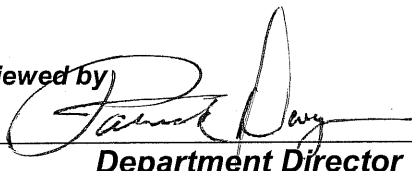
"Against" Study X Explain. If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:

Due to the City's continued fiscal uncertainties, staff is recommending that this study be deferred until such time that the department's fiscal condition improves and it is determined that the department has both the staff/fiscal capacity to complete the study and to implement study results.

In the meantime, the department will continue the request-driven service level supported by the current budget.

No Recommendation ___

Note: If staff's recommendation is "for study" or "against study", the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by 
Department Director

11/3/04
Date

Approved by 
City Manager

11/9/04
Date

PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2005

New _____

Previous Year (below line/defer) X

Issue: Explore Possibility of a Gun Amnesty Program

Lead Department: Public Safety (DPS)

General Plan Element or Sub-Element: Police Services Sub-Element

1. What are the key elements of the issue? What precipitated it?

In 2003, Mayor Julia Miller requested that DPS explore the possibility of sponsoring a "gun amnesty" program in Sunnyvale. Study would explore gun amnesty programs held in other communities and identify necessary resources to conduct a similar program in Sunnyvale.

The issue was presented at the 03 Study Issues Workshop and approved. DPS placed the issue "below the line" because DPS did not have the staff capacity to complete the study.

2. How does this relate to the General Plan or existing City Policy?

Police Services Sub-Element Goals:

4.1A.4 – Reduce crime by strengthening the Police-Community partnership.

4.1A.4a – Continue and enhance neighborhood-based crime prevention programs.

3. Origin of issue:

Council Member(s): Miller (2003)

General Plan: _____

City Staff: _____

Board or Commission (identify name of the advisory body from the list below): NA

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue _____ **of** _____

Board or Commission ranking comments:

4. Multiple Year Project? Yes___ No X Expected Year Completed 2005
5. Estimated work hours for completion of the study issue (use 5 or 8-hour increments):
- (a) Estimated work hours from the lead department 80
- (b) Estimated work hours from consultant(s) if applicable: _____
- (c) Estimated work hours from the City Attorney's Office: 5
- (d) Estimated work hours from Finance: _____
- (e) Estimated work hours from other department(s):
- Department: _____
- Department: _____
- Department: _____
- Total Estimated Hours: 85
6. Expected participation involved in the study issue process?
- (a) Does Council need to approve a work plan? Yes___ No X
- (b) Does this issue require review by a Board/Commission? If so, please list below: Yes___ No X
- (c) Is a Council Study Session anticipated? Yes___ No X
- (d) What is the public participation process?
- Public hearing at scheduled Council meeting
7. Cost of Study: Please mark appropriate item below.
- ___ Costs covered in operating budget - <program name>
- ___ Costs covered by project - <project name>
- X Budget modification needed for study - \$6,500

Explain below what the additional funding will be used for:

Existing hours are not available to conduct this study – additional funding would be needed for overtime hours to complete the study

8. Potential fiscal impact to implement recommendations in the Study approved by Council, if any:

| Mark a range for the items below: | \$500 or none | \$50K or less | \$51K - \$100K | \$101K - \$500K | \$501K or more |
|----------------------------------------------------------------------------------------------------------------------------|---------------|---------------|----------------|-----------------|----------------|
| Capital expenditure range | | X | | | |
| Operating expenditure range | | | X | | |
| New revenues/savings range | | | | | |
| Explain impact briefly: Would result in DPS offering a program that is not currently offered at the local level. | | | | | |

9. Staff Recommendation for this calendar year:

"For" Study ___ **Explain:**

"Against" Study X **Explain.** If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:

DPS staff is recommending that this issue not be considered again in the future. Gun amnesty programs are more effectively implemented on a county or regional basis. The Santa Clara County Police Chiefs Association has sponsored similar programs. DPS will participate in such future efforts provided staffing resources are available.

No Recommendation ___

Note: If staff's recommendation is "for study" or "against study", the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by 
 Department Director

11/3/04
 Date

Approved by 
 City Manager

11/9/04
 Date

PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2005

New

Previous Year (below line/defer) X

Issue: Review Public Safety Support Services Sub-Element

Lead Department: Public Safety (DPS)

General Plan Element or Sub-Element: Public Safety Support Services Sub-Element

1. What are the key elements of the issue? What precipitated it?

The City's general practice is to consider updating General Plan Sub-Elements approximately every 10 years. The Public Safety Support Services Sub-Element was last revised in 1988. This issue was presented to Council at the 12/02 Study Issues Workshop and approved. At that time, DPS put the issue "below the line" because the department did not have the staff capacity to complete the study and it was determined that it would be more effective to review this Sub-Element after the revised organization structure and new budget structure were in place. This issue was again presented at the 03 Study Issue Workshop and deferred by Council.

2. How does this relate to the General Plan or existing City Policy?

Legislative Management Sub-Element

Goal 7.3A: Assess community conditions and make appropriate changes to long-range, mid-range and short-range plans

7.3A.1c Review and update each General Plan Sub-Element every 5-10 years.

3. Origin of issue:

Council Member(s):

General Plan:

City Staff: Department of Public Safety

| | |
|-------------------------------------------------------------------------------|----|
| Board or Commission (identify name of the advisory body from the list below): | NA |
|-------------------------------------------------------------------------------|----|

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue _____ of _____

8. Potential fiscal impact to implement recommendations in the Study approved by Council, if any:

| Mark a range for the items below: | \$500 or none | \$50K or less | \$51K - \$100K | \$101K - \$500K | \$501K or more |
|----------------------------------------------|---------------|---------------|----------------|-----------------|----------------|
| Capital expenditure range | | | | | |
| Operating expenditure range | | | | | |
| New revenues/savings range | | | | | |
| Explain impact briefly: Unknown at this time | | | | | |

9. Staff Recommendation for this calendar year:

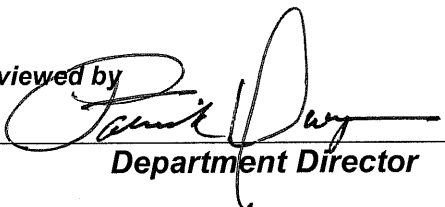
"For" Study ☐ Explain:

"Against" Study ☒ Explain. If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:

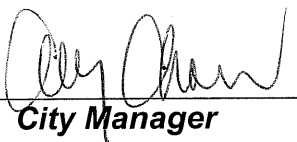
Staff recommends that this issue be deferred until such time that the position of Director of Public Safety is filled on a full-time regular basis, the most recent proposed department re-structure is implemented and a corresponding budget structure is in place for a minimum of one year. When this Sub-Element was written, the Department of Public Safety was organized into three major divisions: police services, fire services and support services. That structure is no longer in place and delaying this issue will allow the department to determine the best way to update the functions in this Sub-Element so that they reflect a revised structure and staffing pattern.

No Recommendation ☐

Note: If staff's recommendation is "for study" or "against study", the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by 
Department Director

11-3-04
Date

Approved by 
City Manager

11/9/04
Date

NUMBER DPS-04

PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2005

New _____

Previous Year (below line/defer) X

Issue: Review Seismic Safety and Safety Sub-Element

Lead Department: Public Safety (DPS)

General Plan Element or Sub-Element: Seismic Safety and Safety Sub-Element

1. What are the key elements of the issue? What precipitated it?

The City's general practice is to consider updating General Plan Sub-Elements approximately every 10 years. The Public Safety Support Services Sub-Element was last revised in 1993. This item was presented at the 02 and the 03 Council Study Issues Workshops and Council deferred the issue each time.

2. How does this relate to the General Plan or existing City Policy?

Legislative Management Sub-Element

Goal 7.3A: Assess community conditions and make appropriate changes to long-range, mid-range and short-range plans

7.3A.1c Review and update each General Plan Sub-Element every 5-10 years

3. Origin of issue:

Council Member(s): _____

General Plan: _____

City Staff: Department of Public Safety

Board or Commission (identify name of the advisory body from the list below): NA

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue _____ **of** _____

Board or Commission ranking comments:

4. Multiple Year Project? Yes___ No X Expected Year Completed 2005
5. Estimated work hours for completion of the study issue (use 5 or 8-hour increments):

(a) Estimated work hours from the lead department 50

(b) Estimated work hours from consultant(s) if applicable: 200

(c) Estimated work hours from the City Attorney's Office: 5

(d) Estimated work hours from Finance: _____

(e) Estimated work hours from other department(s):

Department: Community Development 100

Department: _____

Department: _____

Total Estimated Hours: 355

- 6. Expected participation involved in the study issue process?**

(a) Does Council need to approve a work plan? Yes X No

(b) Does this issue require review by a Board/Commission? If so, please list below: Yes No X

(c) Is a Council Study Session anticipated? Yes X No

(d) What is the public participation process?

Public hearing at scheduled Council meeting

- 7. Cost of Study: Please mark appropriate item below.**

Costs covered in operating budget –

Costs covered by project - <project name>

X Budget modification needed for study – \$30,000

Explain below what the additional funding will be used for:

\$30,000 for staff overtime, outside professional services for research and writing of revised Sub-Element, graphic arts services and printing of revised document

8. Potential fiscal impact to implement recommendations in the Study approved by Council, if any:

| Mark a range for the items below: | \$500 or none | \$50K or less | \$51K - \$100K | \$101K - \$500K | \$501K or more |
|----------------------------------------------|---------------|---------------|----------------|-----------------|----------------|
| Capital expenditure range | | | | | |
| Operating expenditure range | | | | | |
| New revenues/savings range | | | | | |
| Explain impact briefly: Unknown at this time | | | | | |

9. Staff Recommendation for this calendar year:

"For" Study ___ Explain:

"Against" Study X Explain. If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:

Staff recommends that this issue be deferred until such time that the position of Director of Public Safety is filled on a full-time regular basis, the most recent proposed department re-structure is implemented and a corresponding budget structure is in place for a minimum of one year. Delaying this issue will allow the department to determine the best way to update the functions in this Sub-Element so that they reflect a revised structure and staffing pattern.

No Recommendation ___

Note: If staff's recommendation is "for study" or "against study", the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

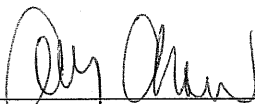
Reviewed by


Department Director

11-3-04

Date

Approved by


City Manager

11/9/04

Date

PROPOSED COUNCIL STUDY ISSUEFor Calendar Year: 2005New Previous Year (below line/defer) X Issue: Fire Station Location and Resource Allocation StudyLead Department: Public SafetyGeneral Plan Element or Sub-Element: Fire Services Sub-Element**1. What are the key elements of the issue? What precipitated it?**

This issue was presented at the 2002 and 2003 Study Issues Workshops and deferred by Council due to the economic downturn that continued to slow planned development in the area north of Highway 101.

Study issue was requested as a result of planned development in the Moffett Park Specific Plan area and planned residential development north of Highway 101. The potential for new office buildings in the Moffett Park area and the change from industrial tilt-up to medium density residential uses may affect the delivery of emergency services in this area. To ensure that the City will be able to provide emergency fire and EMS services that meet established goals, the project will evaluate:

- Fire station location(s)
- Resource allocation (equipment & personnel)
- Current and estimated future response times to emergency fire and EMS calls for service

2. How does this relate to the General Plan or existing City Policy?Fire Services Sub-Element Goals:

4.2A.1 – Assure that equipment and facilities are provided and maintained to meet reasonable standards of safety, dependability and compatibility with fire service operations.

4.2A.3 - Respond to requests for services.

4.2B.1 – Provide immediate life support to those who are threatened by situations requiring emergency medical services or rescue.

4.2B.2 – Operate a response system that will provide effective control and investigation of hazardous materials emergencies.

DPS Program Outcome Measure

#1 Give highest priority to emergency calls so that responses are made within 7 minutes and 20 seconds or less 90% of the time.

3. Origin of issue:

Council Member(s): _____

General Plan: _____

City Staff: Department of Public Safety

Board or Commission (identify name of the advisory body from the list below): NA

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue ____ of ____

Board or Commission ranking comments:

4. Multiple Year Project? Yes ____ No X Expected Year Completed 2005

5. Estimated work hours for completion of the study issue (use 5 or 8-hour increments):

(a) Estimated work hours from the lead department 80(b) Estimated work hours from consultant(s) if applicable: 200(c) Estimated work hours from the City Attorney's Office: 5(d) Estimated work hours from Finance: 20

(e) Estimated work hours from other department(s):

Department: Community Development 40

Department: _____

Department: _____

Total Estimated Hours: 345

6. Expected participation involved in the study issue process?

(a) Does Council need to approve a work plan? Yes ____ No X(b) Does this issue require review by a Board/Commission? If so, please list below: Yes ____ No X(c) Is a Council Study Session anticipated? Yes ____ No X

(d) What is the public participation process?

Public hearing at scheduled Council meeting

7. Cost of Study: Please mark appropriate item below.☐ Costs covered in operating budget - <program name>☐ Costs covered by project - <project name>☒ Budget modification needed for study – \$32,500**Explain below what the additional funding will be used for:**

\$32,500 to cover staff overtime, outside professional services to complete research and prepare findings/recommendations

8. Potential fiscal impact to implement recommendations in the Study

approved by Council, if any:

| Mark a range for the items below: | \$500 or none | \$50K or less | \$51K - \$100K | \$101K - \$500K | \$501K or more |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|----------------|-----------------|----------------|
| Capital expenditure range | | | | | X |
| Operating expenditure range | | | | | X |
| New revenues/savings range | | | | | |
| Explain impact briefly: Would require new capital project to build fire station. Would require budget modification since current funding levels do not include operating costs for an additional fire station. | | | | | |

9. Staff Recommendation for this calendar year:

“For” Study ☐ Explain:

“Against” Study ☒ Explain. If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:

DPS staff is recommending that this issue be deferred at this time due to the continued slow economic recovery that has delayed the planned development in this area of the City. However, it is critical that the City continually review the rate of development in order to take proactive steps to provide adequate facilities, equipment and staff to ensure that DPS will be able to meet response time goals for emergency fire and EMS calls for service.

No Recommendation ☐

Note: If staff's recommendation is “for study” or “against study”, the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

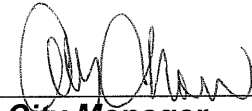
Reviewed by


Department Director

11-3-04

Date

Approved by


City Manager

11/9/04

Date

PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2005

New _____

Previous Year (Defer) X

Issue: Bicycle Safety Skills Awareness Education for Public Safety Officers

Lead Department: Public Safety (DPS)

General Plan Element or Sub-Element: Land Use and Transportation

1. What are the key elements of the issue? What precipitated it?

As part of the 2004 Study Issue Process, the Bicycle and Pedestrian Advisory Committee (BPAC) submitted this study issue. Council deferred the issue for 2004. At that time, it was BPAC's opinion that Patrol Officers needed to be trained in the safe manner in which bicyclists ride on the roadway and share the road with vehicles. This study issue would develop a number of policies and requirements for public safety officer training regarding safe bicycling practices.

2. How does this relate to the General Plan or existing City Policy?

City of Sunnyvale Bike Plan

Goal BP.C - Make provisions for education about the rights and responsibilities of cyclists and motorists.

Goal BP.C1.c- Provide bicycle education and training necessary for Public Safety Officers.

3. Origin of issue:

Council Member(s): _____

General Plan: _____

City Staff: _____

Board or Commission (identify name of the advisory body from the list below): BPAC (12/03 for 2004 process)

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue ____ **of** ____

Board or Commission ranking comments: Recommends Council drop issue

4. Multiple Year Project? Yes ___ No X Expected Year Completed 2005

5. Estimated work hours for completion of the study issue (use 5 or 8-hour increments):

(a) Estimated work hours from the lead department 840

(b) Estimated work hours from consultant(s) if applicable: 100

(c) Estimated work hours from the City Attorney's Office:

(d) Estimated work hours from Finance:

(e) Estimated work hours from other department(s):

Department: Public Works 40

Department:

Department:

Total Estimated Hours: 980

6. Expected participation involved in the study issue process?

(a) Does Council need to approve a work plan? Yes ___ No X

(b) Does this issue require review by a Board/Commission? If so, please list below: Yes X No ___

Bicycle and Pedestrian Advisory Committee (BPAC)

(c) Is a Council Study Session anticipated? Yes ___ No X

(d) What is the public participation process?

BPAC and City Council Public Hearings

7. Cost of Study: Please mark appropriate item below.

___ Costs covered in operating budget –

___ Costs covered by project -

X Budget modification needed for study - \$73,000

Explain below what the additional funding will be used for:

\$73,000 for staff overtime and consultant services

8. Potential fiscal impact to implement recommendations in the Study approved by Council, if any:

| Mark a range for the items below: | \$500 or none | \$50K or less | \$51K - \$100K | \$101K - \$500K | \$501K or more |
|-----------------------------------|---------------|---------------|----------------|-----------------|----------------|
| Capital expenditure range | X | | | | |

| | | | | | |
|----------------------------------------------------------------------------------|----|--|---|--|--|
| Operating expenditure range | | | X | | |
| New revenues/savings range | NA | | | | |
| Explain impact briefly: Would require the training of 210 public safety officers | | | | | |

9. Staff Recommendation for this calendar year:**"For" Study __ Explain:**

"Against" Study X Explain. If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:

DPS staff concurs with the BPAC and recommends that this Study Issue be dropped from further consideration.

DPS has limited hours available for training of officers. Current budgeted training hours are needed for mandatory training (e.g. driving skills, firearms, defensive tactics, domestic violence updates, CPR, First Aid and Emergency Management). Additional training as identified by BPAC (700 hrs.) would have to occur on an overtime basis at significant additional costs to the City.

DPS staff attends BPAC meetings on an ongoing basis to discuss bicycle issues. In cooperation with BPAC, staff assembled a packet of three bicycle information brochures: one developed by the California Highway Patrol; one developed by DPS Traffic Safety Unit; and one developed by BPAC. Staff believes this packet provides appropriate training information for officers. Additionally information is distributed and/or discussed at daily patrol briefing sessions.

No Recommendation __

Note: If staff's recommendation is "for study" or "against study", the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by


 Department Director

11-3-04

Date

Approved by


 City Manager

11/9/04

Date

PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2005

New XX

Previous Year (below line/defer) _____

Issue: Patriot Act

Lead Department: Public Safety

General Plan Element or Sub-Element: Police Services Sub-Element

1. What are the key elements of the issue? What precipitated it?

At the Council meeting of December 7, 2004 Councilmember Fowler sponsored a study issue to develop a resolution on the provisions of the Patriot Act. Specifically, Councilmember Fowler wanted to assess and analyze the effect of the Patriot Act on municipal government operations in the City of Sunnyvale. Councilmembers Lee and Miller co-sponsored.

2. How does this relate to the General Plan or existing City Policy?

Action Statement 4.1D.2c, *Provide professional input to Council when considering community position on legislative issues*

Goal 4.1A, *Provide a safe and secure environment for people and property in the community*

Action Statement 4.1D.1a, *Identify and maintain liaison with appropriate governmental and private agencies and organizations*

Policy 4.1A.4, *Reduce crime and fear by strengthening police/community partnership*

The Library Sub-Element was adopted by the City Council on April 8, 2003, RTC#03-116. Pertinent sections include:

**Section VI. C. LAWS AFFECTING PUBLIC LIBRARY SERVICES
FEDERAL LEGISLATION**

USA PATRIOT ACT

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA Patriot Act) was passed by Congress on October 26, 2001. The Act has changed rules regarding when court orders may be obtained, what places can be searched and the persons and things which may be seized. These changes affect the confidentiality of library patron

records and may effect the way future policy is set. (P.28)

Appendix XI. C LIBRARIES: AN AMERICAN VALUE

- We protect each individual's privacy and confidentiality in the use of library resources and services;

Adopted by the Council of the American Library Association

February 3,

3. Origin of issue:

Council Member(s):

Councilmembers Fowler, Lee,
Miller

General Plan:

City Staff:

**Board or Commission (identify
name of the advisory body from
the list below):**

(Arts, Building of Code Appeals, BPAC, Child Care, Heritage, Housing and
Human Services, Library, Parks and Recreation, Personnel and Planning)

Board or Commission ranked this study issue _____ of _____

Board or Commission ranking comments:

4. Multiple Year Project? Yes___ No **XX** Expected Year Completed 2005

5. Estimated work hours for completion of the study issue (use 5 or 8-hour increments):

(a) Estimated work hours from the lead department 40

(b) Estimated work hours from consultant(s) if applicable: _____

(c) Estimated work hours from the City Attorney's Office: _____

(d) Estimated work hours from Finance: _____

(e) Estimated work hours from other department(s): _____

Department: Library 25

Department: _____

Department: _____

Total Estimated Hours: 65

6. Expected participation involved in the study issue process?

(a) Does Council need to approve a work plan? Yes___ No **X**

(b) Does this issue require review by a Board/Commission? If so, please list below:

Yes ___ No X

(c) Is a Council Study Session anticipated?

Yes X No ___

(d) What is the public participation process? The Study Session will be posted and open to the public.

7. Cost of Study: Please mark appropriate item below.

XX Costs covered in operating budget – 481 Police Services

___ Costs covered by project - <project name>

___ Budget modification needed for study - <\$ Amount>

Explain below what the additional funding will be used for:

8. Potential fiscal impact to implement recommendations in the Study approved by Council, if any:

| Mark a range for the items below: | \$500 or none | \$50K or less | \$51K - \$100K | \$101K - \$500K | \$501K or more |
|-----------------------------------|---------------|---------------|----------------|-----------------|----------------|
| Capital expenditure range | | | | | |
| Operating expenditure range | XX | | | | |
| New revenues/savings range | | | | | |

Explain impact briefly: Basic research and coordination of this issue will be conducted by existing staff in the Department of Public Safety and the Library. Other lower priority tasks or activities may be eliminated or delayed as a result of this effort.

9. Staff Recommendation for this calendar year:**"For" Study XX Explain:**


It is appropriate for Council to evaluate the impact of this legislation on government operations in the City of Sunnyvale. Important issues may include potential diversion of local resources to functions that are properly Federal in nature, and personal privacy.

"Against" Study Explain. If staff suggests that this study should not be considered again in the future or deferred at this time, please include this in your explanation:

No Recommendation

Note: If staff's recommendation is "for study" or "against study", the Director should note the relative importance of this Study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

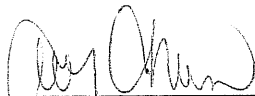
Reviewed by


Department Director

12/8/04

Date

Approved by


City Manager

12/8/04

Date